

No 54.

THOMAS PAINE,

to

GEORGE WASHINGTON;

12

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GEORGE WASHINGTON

part of the
N^o 54.

LETTER
TO
GEORGE WASHINGTON,
PRESIDENT OF THE UNITED STATES OF
AMERICA.
ON
AFFAIRS PUBLIC AND PRIVATE.

By THOMAS PAINE, *K*
AUTHOR OF THE WORKS ENTITLED, COMMON SENSE,
RIGHTS OF MAN, AGE OF REASON, &c.

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1796.

[Entered, according to law.]

GEORGE WASHINGTON

REPRESENTATIVE OF THE UNITED STATES

IN CONGRESS

BY THE HOUSE OF REPRESENTATIVES

RESOLVED

THAT THE HOUSE OF REPRESENTATIVES

DOES HEREBY RESOLVE

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DOES HEREBY RESOLVE



THOMAS PAINE,

To

GEORGE WASHINGTON,

Paris, July 30th, 1796,

AS censure is but awkwardly softened by apology, I shall offer you no apology for this letter. The eventful crisis to which your double politics have conducted the affairs of your country requires an investigation uncramped by ceremony.

There was a time when the fame of America, moral and political, stood fair and high in the world. The lustre of her revolution extended itself to every individual; and to be a citizen of America gave a title to respect in Europe. Neither meanness nor ingratitude had then mingled itself into the composition of her character. Her resistance to the attempted tyranny of England left her unsuspected of the one, and her open acknowledgment of the aid she received from

France precluded all suspicion of the other. The Washington of politics had not then appeared.

At the time I left America (April 1787) the continental convention that formed the federal constitution was on the point of meeting. Since that time new schemes of politics and new distinctions of parties, have arisen. The term *Antifederalist* has been applied to all those who combated the defects of that constitution, or opposed the measures of your administration. It was only to the absolute necessity of establishing some federal authority, extending equally over all the States, that an instrument, so inconsistent as the present federal constitution is, obtained a suffrage. I would have voted for it myself, had I been in America, or even for a worse rather than have had none; provided it contained the means of remedying its defects by the same appeal to the people by which it was to be established. It is always better policy to leave removeable errors to expose themselves, than to hazard too much in contending against them theoretically.

I have introduced those observations, not only to mark the general difference between antifederalist and anti-constitutionalist, but to preclude the effect, and even the application, of the former of those terms to myself. I declare myself opposed to several matters in the constitution, particularly to the manner in which, what is called the Executive, is formed, and to the long duration of the Senate; and

if I live to return to America I will use all my endeavours to have them altered.* I also declare myself opposed to almost the whole of your administration; for I know it to have been deceitful, if not even perfidious, as I shall shew in the course of this letter. But as to the point of consolidating the States into a federal government, it so happens, that the proposition for that purpose came originally from myself. I proposed it in a letter to Chancellor Livingston in the spring of the year 1782, whilst that gentleman was minister for foreign affairs. The five per cent. duty recommended by Congress had then fallen through, having been adopted by some of the States, altered by others, rejected by Rhode Island, and repealed by Virginia after it had been consented to. The proposal in the letter I allude to was to get over the whole difficulty at once, by annexing a continental legislative body to Congress; for, in order to have any law of the Union uniform, the case could only be, that either Congress, as it then stood, must frame the law, and the States severally adopt it without alteration, or, the States must elect a Continental Legislature for the purpose. Chancellor Livingston, Robert Morris, Go-

* I have always been opposed to the mode of refining Government up to an individual, or what is called a single Executive. Such a man will always be the chief of a party. A plurality is far better: It combines the mass of a nation better together: And besides this, it is necessary to the manly mind of a republic, that it loses the debasing idea of obeying an individual.

verneur Morris and myself had a meeting at the house of Robert Morris on the subject of that letter. There was no diversity of opinion on the proposition for a Continental Legislature. The only difficulty was on the manner of bringing the proposition forward. For my own part, as I considered it as a remedy in reserve, that could be applied at any time, *when the States saw themselves wrong enough to be put right* (which did not appear to me to be the case at that time) I did not see the propriety of urging it precipitately, and declined being the publisher of it myself. After this account of a fact, the leaders of your party will scarcely have the hardiness to apply to me the term of antifederalist. But I can go to a date and to a fact beyond this; for the proposition for electing a Continental Convention to form the Continental Government is one of the subjects treated of in the pamphlet *Common Sense*.

Having thus cleared away a little of the rubbish that might otherwise have lain in my way, I return to the point of time at which the present Federal Constitution and your administration began. It was very well said by an anonymous writer in Philadelphia, about a year before that period, that "*thirteen slaves and ne'er a hoop will not make a barrel*," and as any kind of hooping the barrel, however defectively executed, would be better than none, it was scarcely possible but that considerable advantages must arise from the federal hooping of the States. It was with pleasure that every

sincere friend to America beheld, as the natural effect of union, her rising prosperity ; and it was with grief they saw that prosperity mixed, even in the blossom, with the germ of corruption. Monopolies of every kind marked your administration almost in the moment of its commencement. The lands obtained by the revolution were lavished upon partizans ; the interest of the disbanded soldier was sold to the speculator ; injustice was acted under the pretence of faith ; and the chief of the army became the patron of the fraud. From such a beginning what could be expected, but what has happened ? A mean and servile submission to the insults of one nation, treachery and ingratitude to another.

Some vices make their approach with such a splendid appearance, that we scarcely know to what class of moral distinctions they belong. They are rather virtues corrupted, than vices originally. But meanness and ingratitude have nothing equivocal in their character. There is not a trait in them that renders them doubtful. They are so originally vice, that they are generated in the dung of other vices, and crawl into existence with the filth upon their back. The fugitives have found protection in you, and the levee-room is their place of rendezvous.

As the Federal Constitution is a copy, not quite so base as the original, of the form of the British government, an imitation of its vices was naturally to be ex-

pected. So intimate is the connection between *form* and *practice*, that to adopt the one is to invite the other. Imitation is naturally progressive, and is rapidly so in matters that are vicious.

Soon after the Federal Constitution arrived in England, I received a letter from a female literary correspondent (a native of New York) very well mixed with friendship, sentiment and politics. In my answer to that letter I permitted myself to ramble into the wilderness of imagination, and to anticipate what might hereafter be the condition of America. I had no idea that the picture I then drew was realizing so fast, and still less that, Mr. Washington was hurrying it on. As the extract I allude to is congenial with the subject I am upon, I here transcribe it.

“ You touch me on a very tender point when you
 “ say, *that my friends on your side the water cannot be*
 “ *reconciled to the idea of my abandoning America, even*
 “ *for my native England.* They are right. I had
 “ rather see my horse Button eating the grass of Bor-
 “ dentown or Morrifenia, than see all the pomp and
 “ shew of Europe.

“ A thousand years hence, for I must indulge a
 “ few thoughts, perhaps in less, America may be
 “ what England now is. The innocence of her cha-
 “ racter, that won the hearts of all nations in her fa-
 “ vour, may sound like a romance, and her inimita-

“ ble virtue as if it had never been. The ruins of
 “ that liberty, which thousands bled to obtain,
 “ may just furnish materials for a village tale, or ex-
 “ tort a sigh from rustic sensibility; whilst the fashion-
 “ able of that day, enveloped in dissipation, shall de-
 “ ride the principle and deny the fact.

“ When we contemplate the fall of empires & the
 “ extinction of the nations of the ancient world, we
 “ see but little more to excite our regret than the
 “ mouldering ruins of pompous palaces, magnificent
 “ monuments, lofty pyramids, and walls and towers
 “ of the most costly workmanship : But when the
 “ empire of America shall fall, the subject for con-
 “ templative sorrow will be infinitely greater than
 “ crumbling brass or marble can inspire. It will not
 “ then be said, here stood a temple of vast antiquity,
 “ here rose a babel of invisible height, or there a pa-
 “ lace of sumptuous extravagance; but here, ah pain-
 “ ful thought ! the noblest work of human wif-
 “ dom, the grandest scene of human glory, the fair
 “ cause of freedom rose and fell. Read this, and
 “ then ask, if I forget America ?”

Impressed, as I was, with apprehensions of this kind,
 I had America constantly in mind in all the publica-
 tions I afterwards made. The first, and still more,
 the second part of Rights of Man bear evident marks
 of this watchfulness; and the Dissertation on First
 Principles of Government goes more directly to the

point than either of the former. I now pass on to other subjects.

It will be supposed by those into whose hands this letter may fall, that I have some personal resentment against you; I will therefore settle this point before I proceed farther.

If I have any resentment, you must acknowledge that I have not been hasty in declaring it; neither would it be now declared (for what are private resentments to the public) if the cause of it did not unite itself as well with your public as your private character, and with the motives of your political conduct.

The part I acted in the American revolution is well known; I shall not here repeat it. I know also that had it not been for the aid received from France in men, money and ships, that your cold and unmilitary conduct (as I shall shew in the course of this letter) would, in all probability, have lost America; at least she would not have been the independent nation she now is. You slept away your time in the field till the finances of the country were completely exhausted, and you have but little share in the glory of the final event. It is time, sir, to speak the undisguised language of historical truth.

Elevated to the chair of the Presidency you assumed the merit of every thing to yourself, and the natural ingratitude of your constitution began to appear. You commenced your Presidential career by

encouraging and swallowing the grossest adulation, and you travelled America from one end—to the other, to put yourself in the way of receiving it. You have as many addressees in your chest as James the II. As to what were your views, for if you are not great enough to have ambition you are little enough to have vanity, they cannot be directly inferred from expressions of your own ; but the partizans of your politics have divulged the secret.

John Adams has said (and John, it is known, was always a speller after places and offices, and never thought his little services were highly enough paid) John has said, that as Mr. Washington had no child, that the Presidency should be made hereditary in the family of Lund Washington. John might then have counted upon some sine-cure for himself and a provision for his descendants. He did not go so far as to say also, that the Vice Presidency should be hereditary in the family of John Adams. He prudently left that to stand upon the ground, that one good turn deserves another.*

John Adams is one of those men who never contemplated the origin of government, or comprehended any thing of first principles. If he had, he must have seen that the right to set up and establish hereditary government never did, and never can,

* Two persons to whom John Adams said this, told me of it. The secretary of Mr. Jay was present when it was told to me.

exist in any generation, at any time whatever; that it is of the nature of treason; because it is an attempt to take away the rights of all the minors living at that time, and of all succeeding generations. It is of a degree beyond common treason. It is a sin against nature. The equal right of generations is a right fixed in the nature of things. It belongs to the son when of age, as it belonged to the father before him. John Adams would himself deny the right that any former deceased generation could have to decree authoritatively a succession of Governors over him, or over his children; and yet he assumes the pretended right, treasonable as it is, of acting it himself. His ignorance is his best excuse.

John Jay has said (and this John was always the hypocrite of every thing in power, from Mr. Girard in America to Grenville in England) John Jay has said, that the Senate should have been appointed for life. He would then have been sure of never wanting a lucrative appointment for himself, nor have had any fears about impeachments. These are the disguised traitors that call themselves federalists.*

Could I have known to what degree of corruption & perfidy the administrative part of the government in America had descended, I could have been at no loss to have understood the reservedness of Mr.

* If Mr. Jay desires to know on what authority I say this, I will give that authority publicly when he chooses to call for it.

Washington towards me, during my imprisonment in the Luxembourg. There are cases in which silence is a loud language.

I will here explain the cause of my imprisonment, and return to Mr. Washington afterwards.

In the course of that rage, terror and suspicion, which the brutal letter of the Duke of Brunswick first started into existence in France, it happened, that almost every man who was opposed to violence, or who was not violent himself, became suspected. I had constantly been opposed to every thing which was of the nature, or of the appearance, of violence; but as I had always done it in a manner that shewed it to be a principle founded in my heart, and not a political manœuvre, it precluded the pretence of accusing me. I was reached, however, under another pretence.

A decree was passed to imprison all persons born in England; but as I was a member of the Convention, and had been complimented with the honorary title of Citizen of France, as Mr. Washington and some other Americans had been, this decree fell short of reaching me. A motion was afterwards made and carried, supported chiefly by Bourdon de l'Oise, for expelling foreigners from the Convention. My expulsion being thus effected, the two committees of Public Safety and of General Sure-

ty, of which Robespierre was the dictator, put me in arrestation under the former decree for imprisoning persons born in England. Having thus shewn under what pretence the imprisonment was effected, I come to speak of such parts of the case as apply between me and Mr. Washington, either as President or as an individual.

I have always considered that a foreigner, such as I was in fact with respect to France, might be a member of a Convention for forming a constitution, without affecting his right of citizenship in the country to which he belongs, but not a member of a government after a constitution is formed; and I have uniformly acted upon this distinction. To be a member of a government requires that a person be in allegiance to that government and to the country locally. But a constitution being a thing of principle and not of action, and which, after it be formed, is to be referred to the people for their approbation or rejection, does not require allegiance in the persons forming and proposing it; and besides this, it is only to the thing after it be formed and established, and to the country after its governmental character is fixed by the adoption of a constitution, that allegiance can be given. No oath of allegiance or of citizenship was required of the members who composed the Convention; there was nothing existing in form to swear allegiance to. If any such condition

had been required I could not, as Citizen of America in fact, though Citizen of France by compliment, have accepted a seat in the Convention.

As my citizenship in America was not altered or diminished, by any thing I had done in Europe (on the contrary it ought to have been considered as strengthened, for it was the American principle of government that I was endeavouring to spread in Europe) and as it is the duty of every government to charge itself with the care of any of its citizens who may happen to fall under an arbitrary persecution abroad, and is also one of the reasons for which Ambassadors or Ministers are appointed,—it was the duty of the executive department in America to have made (at least) some enquiries about me, as soon as it heard of my imprisonment. But if this had not been the case, that government owed it to me on every ground and principle of honor and gratitude. Mr. Washington owed it to me on every score of private acquaintance, I will not now say, friendship; for it has for some time been known, by those who know him, that he has no friendships; that he is incapable of forming any; he can serve or desert a man or a cause with constitutional indifference; and it is this cold hermaphrodite faculty that imposed itself upon the world, and was credited for a while by enemies as by friends, for prudence, moderation and impartiality.

Soon after that I was put in arrestation and imprisoned in the Luxembourg, the Americans who were then in Paris went in a body to the bar of the Convention to reclaim me. They were answered by the, then, President, Vadier, who has since absconded, that *I was born in England*; and it was signified to them by some of the Committee of Surety General, to whom they were referred (I have been told it was Billaud Varrennes) that their reclamation of me was only the act of individuals without any authority from the American government.

A few days after this, all communication from persons imprisoned to any person without the prison was cut off by an order of the Police. I neither saw, nor heard from, any body for six months; and the only hope that remained to me was, that a new minister would arrive from America to supersede Morris, and that he would be authorised to enquire into the cause of my imprisonment. But even this hope, in the state to which matters were daily arriving, was too remote to have any consolatory effect, and I contented myself with the thought, that I might be remembered when it would be too late. There is perhaps no condition from which a man conscious of his own uprightness cannot derive consolation; for it is in itself a consolation for him to find that he can bear that condition with calmness and fortitude.

From about the middle of March (1794) to the fall of Robespierre, 29th July, (9th of Thermidor) the state of things in the prison was a continued scene of horror. No man could count upon life for twenty hours. To such a pitch of rage and suspicion was Robespierre and his committee arrived, that it seemed as if they feared to leave a man to live. Scarcely a night passed but in which ten, twenty, thirty, forty, fifty or more were taken out of the prison, carried before a pretended tribunal in the morning, and guillotined before night. One hundred and sixty nine were taken out of the Luxembourg in one night in the month of July and one hundred and sixty of them guillotined. A list of two hundred more, according to the report in the prison, was preparing a few days before Robespierre fell. In this last list I have good reason to believe I was included. A memorandum, in the hand writing of Robespierre, was afterwards produced in the Convention, by the committee to whom the papers of Robespierre were referred, in these words :

“ Demander que Tho- “ mas Paine soit decreté “ d'accusation, pour l'in- “ teret de l'Amerique au- “ tant que de la France.”	Demand that Thomas Paine be decreed of accu- sation, for the interest of America as well as of France.
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I had then been imprisoned seven months, and the

silence of the executive government of America, Mr. Washington, upon the case and upon every thing respecting me, was explanation enough to Robespierre that he might proceed to extremities.

A violent fever which had nearly terminated my existence, was, I believe, the circumstance that preserved it. I was not in a condition to be removed, or to know of what was passing, or of what had passed for more than a month. It makes a blank in my remembrance of life. The first thing I was informed of was the fall of Robespierre.

About a week after this Mr. Monroe arrived to supercede Gouverneur Morris, and as soon as I was able to write a note legible enough to be read, I found a way to convey one to him, by means of the man who lighted the lamps in the prison; and whose unabated friendship to me, from whom he had never received any service, and with difficulty accepted any recompence, puts the character of Mr. Washington to shame.

In a few days I received a message from Mr. Monroe, conveyed to me in a note from an intermediate person, with assurance of his friendship, and expressing a desire that I would rest the case in his hands. After a fortnight or more had passed and hearing nothing further, I wrote to a friend who was then in Paris, a citizen of Philadelphia, requesting him to inform me what was the true

situation of things with respect to me. I was sure that something was the matter. I began to have hard thoughts of Mr. Washington ; but I was unwilling to encourage them.

In about ten days I received an answer to my letter in which the writer says : " Mr. Monroe has told me that he has no orders (meaning from the President, Mr. Washington) respecting you, but that he (Mr. Monroe) will do every thing in his power to liberate you ; but from what I learn from the Americans lately arrived in Paris, you are not considered, either by the American government or by the individuals, as an American citizen."

I was now at no loss to understand Mr. Washington and his new fangled faction, and that their policy was silently to leave me to fall in France. They were rushing as fast as they could venture, without awakening the jealousy of America, into all the vices and corruptions of the British government ; and it was no more consistent with the policy of Mr. Washington, and those who immediately surrounded him, than it was with that of Robespierre or of Pitt, that I should survive. They have however, missed the mark and the reaction is upon themselves.

Upon the receipt of the letter just alluded to, I sent a memorial to Mr. Monroe which the reader will find in the appendix, and I received from him

the following answer. It is dated the 18th of September, but did not come to hand till about the 10th of October. I was then falling into a relapse, the weather was becoming damp and cold, fuel was not to be had, and the abscess in my side, the consequence of these things, and of the want of air and exercise, was beginning to form and which has continued immovable ever since. Here follows Mr. Monroe's letter.

Paris, Sept. 18, 1794.

DEAR SIR,

I was favoured soon after my arrival here with several letters from you and more latterly with one in the character of memorial, upon the subject of your confinement; and should have answered them at the times they were respectively written had I not concluded you would have calculated with certainty upon the deep interest I take in your welfare and the pleasure with which I shall embrace every opportunity in my power to serve you. I should still pursue the same course, and for reasons which must obviously occur, if I did not find that you are disquieted with apprehensions upon interesting points, & which justice to you and our country equally forbid you should entertain. You mention that you have been informed you are not considered as an American citizen by the Americans, and that you have likewise

heard that I had no instructions respecting you by the government. I doubt not the person who gave you the information meant well, but I suspect he did not even convey accurately his own ideas on the first point; for I presume the most he could say is that you had likewise become a French citizen and which by no means deprived you of being an American one. Even this however may be doubted, I mean the acquisition of citizenship in France, and I confess you have said much to shew that it has not been made. I really suspect that this was all that the gentleman who wrote you, and those Americans he heard speak upon the subject, meant. It becomes my duty however to declare to you, that I consider you as an American citizen, and that you are considered universally in that character by the people of America. As such you are entitled to my attention; and so far as it can be given consistently with those obligations which are mutual between every government and even a transient passenger you shall receive it.

The Congress have never decided upon the subject of citizenship in a manner to regard the present case. By being with us through the revolution you are of our country as absolutely as if you had been born there, and you are no more of England than every native American is. This is the true doctrine in the present case, so far as it becomes complicated with any other consideration. I have mentioned it

to make you easy upon the only point which could give you any disquietude.

Is it necessary for me to tell you how much all your countrymen, I speak of the great mass of the people, are interested in your welfare? They have not forgotten the history of their own revolution and the difficult scenes through which they passed; nor do they review its several stages without reviving in their bosoms a due sensibility of the merits of those who served them in that great and arduous conflict. The crime of ingratitude has not yet stained, and I trust never will stain, our national character. You are considered by them as not only having rendered important services in our own revolution, but as being, on a more extensive scale, the friend of human rights, and a distinguished, an able, advocate in favour of public liberty. To the welfare of Thomas Paine the Americans are not, nor can they be, indifferent.

Of the sense which the President has always entertained of your merits, and of his friendly disposition towards you, you are too well assured to require any declaration of it from me. That I forward his wishes in seeking your safety is what I well know, and this will form an additional obligation on me to perform what I should otherwise consider as a duty. You are, in my opinion, at present, menaced by no kind of danger. To liberate you will be the ob-

ject of my endeavours, and as soon as possible. But you must, until that event shall be accomplished, bear your situation with patience and fortitude. You will likewise have the justice to recollect, that I am placed here upon a difficult theatre,* many important objects to attend to, with few to consult. It becomes me in pursuit of those to regulate my conduct in respect to each, as to the manner and the time, as will, in my judgment, be best calculated to accomplish the whole. With great esteem and respect consider me personally your friend.

JAMES MONROE.

The part in Mr. Monroe's letter in which he speaks of the President (Mr. Washington) is put in soft language. Mr. Monroe knew what Mr. Washington had said formerly, and he was willing to keep that in view. But the fact is, not only that Mr. Washington had given no orders to Mr. Monroe, as the letter stated; but he did not so much as say to him, enquire if Mr. Paine be dead or alive, in prison or out, or see if there is any assistance we can give him.

While these matters were passing the liberations from the prisons were numerous; from twenty to forty in the course of almost every twenty four hours.

* This I presume alludes to the embarrassments which the strange conduct of Gov. Morris had occasioned, and which, I well know, had created suspicions upon the sincerity of Mr. Washington.

The continuance of my imprisonment, after a new minister had arrived immediately from America, which was now more than two months, was a matter so obviously strange, that I found the character of the American government spoken of in very unqualified terms of reproach; not only by those who still remained in prison, but by those who were liberated, and by persons who had access to the prison from without. Under these circumstances I wrote again to Mr. Monroe, and found occasion, among other things to say: "It will not add to the popularity of Mr. Washington to have it believed in America, as it is believed here, that he connives at my imprisonment."

The case, so far as it respected Mr. Monroe was, that having to get over the difficulties which the strange conduct of Gouverneur Morris had thrown in the way of a successor, and having no authority from the American government to speak officially upon any thing relating to me, he found himself obliged to proceed by unofficial means with individual members; for though Robespierre was overthrown, the Robespierrian members of the Committee of Public Safety still remained in considerable force, and had they found out that Mr. Monroe had no official authority upon the case, they would have paid little or no regard to his reclamation of me. In the meantime my health was suffering exceedingly, the dreary

prospect of winter was coming on, and imprisonment was still a thing of danger.

After the Robespierrian members of the Committee were removed by the expiration of their time of serving, Mr. Monroe reclaimed me, and I was liberated the 4th of November. Mr. Monroe arrived in Paris the beginning of August before. All that period of my imprisonment, at least, I owe not to Robespierre, but to his colleague in projects, George Washington. Immediately upon my liberation Mr. Monroe invited me to his house, where I remained more than a year and an half; and I speak of his aid and his friendship, as an open hearted man will always do in such a case, with respect and gratitude.

Soon after my liberation the Convention passed an unanimous vote to invite me to return to my seat among them. The times were still unsettled and dangerous, as well from without as from within, for the coalition was unbroken, and the constitution not settled. I chose, however, to accept the invitation; for as I undertake nothing but what I believe to be right, I abandon nothing that I undertake; and I was willing also to shew, that, as I was not of a cast of mind to be deterred by prospects or retro-prospects of danger, so neither were my principles to be weakened by misfortune, or perverted by disgust.

Being now once more abroad in the world I began to find that I was not the only one who had conceived an unfavourable opinion of Mr. Washington. It was evident that his character was on the decline as well among Americans as among foreigners of different nations. From being the chief of a government, he had made himself the chief of a party; and his integrity was questioned, for his politics had a doubtful appearance. The mission of Mr. Jay to London, notwithstanding there was an American minister there already, had then taken place, and was beginning to be talked of. It appeared to others, as it did to me, to be enveloped in mystery, which every day served either to encrease or to explain into matter of suspicion.

In the year 1790, or about that time, Mr. Washington as President had sent Gouverneur Morris to London as his secret agent to have some communication with the British ministry. To cover the agency of Morris it was given out, I know not by whom, that he went as an agent from Robert Morris to borrow money in Europe, and the report was permitted to pass uncontradicted. The event of Morris's negotiation was, that Mr. Hammond was sent minister from England to America, and Pinckney from America to England, and himself minister to France. If while Morris was minister in France he was not an emissary of the British ministry and the

coalesced powers, he gave strong reasons to suspect him of it. No one who saw his conduct, and heard his conversation, could doubt his being in their interest; and had he not got off at the time he did, after his recall, he would have been in arrestation. Some letters of his had fallen into the hands of the Committee of Public Safety, and enquiry was making after him.

A great bustle has been made by Mr. Washington about the conduct of Genet in America; while that of his own minister, Morris, in France was infinitely more reproachable. If Genet was imprudent or rash, he was not treacherous; but Morris was all three. He was the enemy of the French revolution in every stage of it. But, notwithstanding this conduct on the part of Morris, and the known profligacy of his character, Mr. Washington, in a letter he wrote to him at the time of recalling him on the complaint and request of the Committee of Public Safety, assures him, that though he had complied with that request, he still retained the same esteem and friendship for him as before. This letter Morris was foolish enough to tell of; and, as his own character and conduct were notorious, the telling of it could have but one effect, which was that of implicating the character of the writer. Morris still loiters in Europe, chiefly in England; and Mr. Washington is still in correspondence with him;

Mr. Washington ought therefore to expect, especially since his conduct in the affair of Jay's treaty, that France must consider Morris and Washington as men of the same description. The chief difference, however, between the two is (for in politics there is none) that the one is profligate enough to profess an indifference about *moral* principles, and the other is prudent enough to conceal the want of them.

About three months after I was at liberty, the official note of Jay to Grenville on the subject of the capture of American vessels by British cruisers appeared in the American papers that arrived at Paris. Every thing was of a-piece. Every thing was mean. The same kind of character went to all circumstances public or private. Disgusted at this national degradation, as well as at the particular conduct of Mr. Washington to me, I wrote to him (Mr. Washington) on the 22d of February (1795) under cover to the then Secretary of State (Mr. Randolph) and entrusted the letter to Mr. Letombe, who was appointed French consul to Philadelphia, and was on the point of taking his departure. When I supposed Mr. Letombe had failed, I mentioned the letter to Mr. Monroe, and as I was then in his house, I shewed it to him. He expressed a wish that I would recall it, which he supposed might be done, as he had learned that Mr. Letombe

had not then failed. I agreed to do so, and it was returned by Mr. Letombe under cover to Mr. Monroe.

The letter, however, will now reach Mr. Washington publicly in the course of this work.

About the month of September following, I had a severe relapse, which gave occasion to the report of my death. I had felt it coming on a considerable time before, which occasioned me to hasten the work I had then on hand, the *Second part of the Age of Reason*. When I had finished that work, I bestowed another letter on Mr. Washington, which I sent under cover to Mr. Benj. Franklin Bache of Philadelphia. The letter is as follows.

TO GEORGE WASHINGTON, PRESIDENT of the
UNITED STATES.

Paris, Sept. 20th, 1795.

SIR,

I had written you a letter by Mr. Letombe, French consul, but at the request of Mr. Monroe I withdrew it, and the letter is still by me. I was the more easily prevailed upon to do this, as it was then my intention to have returned to America the latter end of the present year, 1795; but the illness I now suffer prevents me. In case I had come, I should

have applied to you for such parts of your official letters (and of your private ones, if you had chosen to give them) as contained any instructions or directions either to Mr. Monroe, or to Mr. Morris, or to any other person respecting me; for, after you were informed of my imprisonment in France, it was incumbent on you to have made some enquiry into the cause, as you might very well conclude, that I had not the opportunity of informing you of it. I cannot understand your silence upon this subject upon any other ground, than as connivance at my imprisonment; and this is the manner it is understood here, and will be understood in America, unless you can give me authority for contradicting it. I therefore write you this letter, to propose to you to send me copies of any letters you have written, that may remove that suspicion. In the preface to the second part of the *Age of Reason*, I have given a memorandum from the hand writing of Robespierre, in which he proposed a decree of accusation against me, "*for the interest of America as well as of France.*" He could have no cause for putting America into the case, but by interpreting the silence of the American government into connivance and consent. I was imprisoned on the ground of being born in England; and your silence in not enquiring into the cause of that imprisonment and reclaiming me against it, was tacitly giving me up.

I ought not to have suspected you of treachery; but whether I recover from the illness I now suffer or not, I shall continue to think you treacherous, till you give me cause to think otherwise. I am sure you would have found yourself more at your ease had you acted by me as you ought; for, whether your desertion of me was intended to gratify the English government, or to let me fall into destruction in France, that you might exclaim the louder against the French revolution, or whether you hoped by my extinction to meet with less opposition in mounting up the American government,—either of these will involve you in reproach you will not easily shake off.

THOMAS PAINE.

Here follows the letter above alluded to, which I had stopped in complaisance to Mr. Monroe.

TO GEORGE WASHINGTON, PRESIDENT of the
UNITED STATES.

Paris, Feb. 22d, 1795.

SIR,

As it is always painful to reproach those one would wish to respect, it is not without some difficulty that I have taken the resolution to write to you.

The dangers to which I have been exposed cannot have been unknown to you, and the guarded silence you have observed upon that circumstance is what I ought not to have expected from you, either as a friend or as President of the United States.

You know enough of my character to be assured, that I could not have deserved imprisonment in France, and without knowing any thing more than this, you had sufficient ground to have taken some interest for my safety. Every motive arising from recollection of times past, ought to have suggested to you the propriety of such a measure. But I cannot find that you have so much as directed any enquiry to be made, whether I was in prison or at liberty, dead or alive ; what the cause of that imprisonment was, or whether there was any service or assistance you could render. Is this what I ought to have expected from America after the part I have acted towards her, or will it redound to her honour or to yours, that I tell the story. I do not hesitate to say, that you have not served America with more disinterestedness nor greater zeal, nor more fidelity, than myself, and I know not if with better effect. After the revolution of America was established I ventured into new scenes of difficulties to extend the principles which that revolution had produced, and you rested at home to partake of the advantages. In the progress of events you beheld yourself a President in America

and me a prisoner in France. You folded your arms, forgot your friend, and became silent.

As every thing I have been doing in Europe was connected with my wishes for the prosperity of America, I ought to be the more surprised at this conduct on the part of her government. It leaves me but one mode of explanation, which is, *that every thing is not as it ought to be amongst you*, and that the presence of a man who might disapprove, and who had credit enough with the Country to be heard and believed, was not wished for. This was the operating motive with the despotic faction that imprisoned me in France (tho' the pretence was, that I was a foreigner) and those that have been silent and inactive towards me in America, appear to me to have acted from the same motive, of wishing me out of the way. It is impossible for me to discover any other.

Considering the part I have acted in the revolution of America it is natural that I feel interested in whatever relates to her character and prosperity. Though I am not on the spot, to see what is immediately acting there, I see some part of what she is acting in Europe. For your own sake, as well as for that of America, I was both surprised and concerned at the appointment of Gouverneur Morris to be minister to France. His conduct has proved that the opinion I had formed of that appointment was well founded. I wrote that opinion to Mr. Jefferson

at the time, and I was frank enough to say the same thing to Morris—that it was an *unfortunate appointment*. His prating, insignificant pomposity, rendered him at once offensive, suspected, and ridiculous; and his total neglect of all business had so disgusted the Americans, that they proposed entering a protest against him. He carried this neglect to such an extreme, that it was necessary to inform him of it, and I asked him one day if he did not feel himself ashamed to take the money of the country and do nothing for it. But Morris is so fond of profit and voluptuousness that he cares nothing about character. Had he not been removed at the time he was, I think his conduct would have precipitated the two countries into a rupture; and in this case, hated *systematically*, as America is and ever will be by the British government, and suspected by France, the commerce of America would have fallen a prey to both countries.

If the inconsistent conduct of Morris exposed the interest of America to some hazard in France, the pusillanimous conduct of Mr. Jay in England has rendered the character of the American government contemptible in Europe. Is it possible that any man who has contributed to the independence of America, and to free her from the tyranny and injustice of the British government, can read, without shame and indignation, the note of Jay to Grenville.

It is a satire upon the declaration of Independence, and an encouragement to the British government to treat America with contempt. At the time this minister of petitions was acting this miserable part, he had every means in his hands to enable him to have done his business as he ought. The success or failure of his mission depended upon the success or failure of the French arms. Had France failed, Mr. Jay might have put his humble petition in his pocket and gone home. The case happened to be otherwise, and he has sacrificed the honour and perhaps all the advantages of it, by turning petitioner. I take it for granted, that he was sent to demand indemnification for the captured property; and in this case, if he thought he wanted a preamble to his demand, he might have said: "That tho' the government of England might suppose itself under the necessity of seizing American property bound to France, yet that supposed necessity could not preclude indemnification to the proprietors, who, acting under the authority of their own government, were not accountable to any other."—But Mr. Jay sets out with an implied recognition of the right of the British government to seize and condemn; for he enters his complaint against the *irregularity* of the seizures and the condemnation, as if they were reprehensible only by not being *conformable* to the *terms* of the proclamation.

under which they were seized. Instead of being the Envoy of a government he goes over like a lawyer to demand a new trial. I can hardly help believing, that Grenville wrote the note himself and Jay signed it, for the stile of it is domestic and not diplomatic. The term, *His Majesty*, used without any descriptive epithet, always signifies the king whom the Minister that speaks represents. If this sinking of the demand into a petition was a juggle between Grenville and Jay, to cover the indemnification, I think it will end in another juggle, that of never paying the money, and be made use of afterwards to preclude the right of demanding it; for Mr. Jay has virtually disowned the right, *by appealing to the magnanimity of his Majesty against the capturers*. He has appointed this magnanimous Majesty to be umpire in the case, and the government of the United States must abide by the decision. If, Sir, I turn some part of this affair into ridicule, it is to avoid the unpleasant sensation of serious indignation.

Among other things, which I confess I do not understand, is the proclamation of neutrality. This has always appeared to me as an assumption on the part of the executive not warranted by the constitution. But passing this over, as a disputable case, and considering it only as political, the consequence has been that of sustaining the losses of war without the

balance of reprisals. When the profession of neutrality on the part of America was answered by hostilities on the part of Britain, the object and intention of that neutrality existed no longer, and to maintain it after this was not only to encourage further insults and depredations, but was an informal breach of neutrality towards France, by passively contributing to the aid of her enemy. That the government of England considered the American government as pusillanimous is evident from the encreasing influence of the former towards the latter, till the affair of General Wayne. She then saw it might be possible to kick a government into some degree of spirit. So far as the proclamation of neutrality was intended to prevent a dissolute spirit of privateering in America under foreign colours, it was undoubtedly laudable; but to continue it as a government neutrality, after the commerce of the country was made war upon, was submission and not neutrality. I have heard so much about this thing called neutrality, that I know not if the ungenerous and dishonorable silence (for I must call it such) that has been observed by your part of the government towards me, during my imprisonment, has not in some measure arisen from that policy.

Tho' I have written you this letter, you ought not to suppose it has been an agreeable undertaking to me. On the contrary, I assure you, it has cost me

some disquietude. I am sorry you have given me cause to do it; for as I have always remembered your former friendship with pleasure, I suffer a loss by your depriving me of that sentiment.

THOMAS PAINE.

That this letter was not written in very good temper is very evident; but it was just such a letter as his conduct appeared to me to merit, and every thing on his part since has served to confirm that opinion. Had I wanted a commentary on his silence with respect to my imprisonment in France, some of his faction has furnished me with it. What I here allude to is a publication in a Philadelphia paper, copied afterwards into a New York paper, both under the patronage of the Washington faction, in which the writer, still supposing me in prison in France, wonders at my lengthy respite from the scaffold; and he marks his politics still further by saying: "It appears moreover, that the people of England did not relish his (Thomas Paine's) opinions quite so well as he expected, and that for one of his last pieces, as destructive to the peace and happiness of their country, (meaning, I suppose, the *Rights of Man*) they threatened our knight-errant with such serious vengeance, that, to avoid a trip to Botany-bay, he fled over to France, as a less dangerous voyage."

I am not refuting or contradicting the falshood of this publication, for it is fufficiently notorious; neither am I cenfuring the writer; on the contrary I thank him for the explanation he has incautiously given of the principles of the Washington faction. Insignificant, however, as the piece is, it was capable of having had fome ill effect, had it arrived in France during my imprifonment and in the time of Robefpierre; and I am not uncharitable in fupposing that this was the intention of the writer.*

I have now done with Mr. Washington on the fcore of private affairs. It would have been far more agreeable to me, had his conduct been fuch as not to have merited thefe reproaches. Errors or caprices of the temper can be pardoned and forgotten; but a cold deliberate crime of the heart, fuch as Mr. Washington is capable of acting, is not to be wafhed away. I now proceed to other matter.

After Jay's note to Grenville arrived in Paris from America, the character of every thing that was to follow might be eafily forefeen; and it was upon this anticipation that my letter of February 22d was founded. The event has proved, that I was not miftaken, except that it has been much worfe than I expected.

* I know not who the writer of the piece is; but fome late Americans fay it is Phineas Bond, an American refugee, and now a British Confal; and that he writes under the fignature of Peter Skunk, or Peter Porcupine; or fome fuch fignature.

It would naturally occur to Mr. Washington, that the secrecy of Jay's mission to England, where there was already an American minister, could not but create some suspicion in the French government; especially as the conduct of Morris had been notorious, and the intimacy of Mr. Washington with Morris was known.

The character which Mr. Washington has attempted to act in the world, is a sort of non-describable, cameleon-coloured thing, called *prudence*. It is, in many cases, a substitute for principle, and is so nearly allied to hypocrisy, that it easily slides into it. His genius for prudence furnished him in this instance with an expedient, that served, as is the natural and general character of all expedients, to diminish the embarrassments of the moment and multiply them afterwards; for he authorized it to be made known to the French government, as a confidential matter (Mr. Washington should recollect that I was a member of the Convention, & had the means of knowing what I here state) he authorized it, I say, to be made known, and that for the purpose of preventing any uneasiness to France on the score of Mr. Jay's mission to England, that the object of that mission, and of Mr. Jay's authority, was restricted to that of demanding the surrender of the western posts and indemnification for the cargoes captured in American vessels. Mr. Washington knows

that this was untrue ; and knowing this, he had good reason to himself for refusing to furnish the House of Representatives with copies of the instructions given to Jay ; as he might suspect, among other things, that he should also be called upon for copies of instructions given to other ministers, and that in the contradiction of instructions his want of integrity would be detected. Mr. Washington may now, perhaps, learn, when it is too late, to be of any use to him, that a man will pass better through the world with a thousand open errors upon his back, than in being detected in ONE fly falshood. When one is detected, a thousand are suspected.

The first account that arrived in Paris of a treaty being negociated by Mr. Jay (for nobody suspected any) came in an English newspaper, which announced that a treaty *offensive* and *defensive* had been concluded between the United States of America and England. This was immediately denied by every American in Paris, as an impossible thing ; and though it was disbelieved by the French, it imprinted a suspicion that some underhand business was going forward.* At length the treaty itself arrived, and every well-affected American blushed with shame.

* It was the embarrassment into which the affairs and credit of America were thrown at this instant by the report above alluded to, that made it necessary to contradict it, and that by every means arising from opinion or founded upon authority. The Committee of Public Safety, existing at that time, had agreed to

It is curious to observe how the appearances of character will change, whilst the root that produces them remains the same. The Washington administration having waded through the slough of negotiation, and whilst it amused France with professions of friendship contrived to injure her, immediately throws off the hypocrite, and assumes the swaggering air of a bravado. The party papers of that imbecile administration were on this occasion filled with paragraphs about *Sovereignty*. A paltroon may boast of his sovereign right to let another kick him, and this is the only kind of sovereignty shewn in the treaty with England. But these dashing paragraphs, as Timothy Pickering well knows, were intended for France; without whose assistance in men, money and

the full execution, on their part, of the treaty between America and France, notwithstanding some equivocal conduct on the part of the American government, not very consistent with the good faith of an ally; but they were not in a disposition to be imposed upon by a counter-treaty. That Jay had no instructions beyond the points above stated, or none that could possibly be construed to extend to the length the British treaty goes, was a matter believed in America, in England and in France; and without going to any other source it followed naturally from the message of the President to Congress, when he nominated Jay upon that mission. The secretary of Mr. Jay came to Paris soon after the treaty with England had been concluded, and brought with him a copy of Mr. Jay's instructions, which he offered to shew to me as a *justification of Jay*. I advised him, as a friend, not to shew them to anybody, and did not permit him to shew them to me. Who is it, said I to him, that you intend to implicate as censurable by shewing those instructions? Perhaps that implication may fall upon your own government. Though I did not see the instructions I could not be at a loss to understand, that the American administration had been playing a double game.

ships, Mr. Washington would have cut but a poor figure in the American war. But of his military talents I shall speak hereafter.

I mean not to enter into any discussion of any article of Jay's treaty : I shall speak only upon the whole of it. It is attempted to be justified on the ground of its not being a violation of any article or articles of the treaty pre-existing with France. But the sovereign right of explanation does not lie with George Washington and his man Timothy ; France, on her part, has, at least, an equal right ; and when nations dispute, it is not so much about words as about things.

A man, such as the world calls, a sharper, and versed, as Jay must be supposed to be, in the quibbles of the law, may find a way to enter into engagements, and make bargains in such a manner as to cheat some other party, without that party being able, as the phrase is, *to take the law of him*. This often happens in the cabalistical circle of what is called law. But when this is attempted to be acted on the national scale of treaties, it is too despicable to be defended, or to be permitted to exist. Yet this is the trick upon which Jay's treaty is founded, so far as it has relation to the treaty pre-existing with France. It is a counter-treaty to that treaty, and perverts all the great articles of that treaty to the injury of France, and makes them operate as a bounty to England with whom France is at war.

The Washington administration shews great desire, that the treaty between France and the United States be preserved. Nobody can doubt their sincerity upon this matter. There is not a British minister, a British merchant, or a British agent or sailor in America, that does not anxiously wish the same thing. The treaty with France serves now as a passport to supply England with naval stores and other articles of American produce, whilst the same articles, when coming to France, are made contraband or seizable by Jay's treaty with England. The treaty with France says, that neutral ships make neutral property, and thereby gives protection to English property on board American ships; and Jay's treaty delivers up French property on board American ships to be seized by the English. It is too paltry to talk of faith, of national honour, and of the preservation of treaties, whilst such a bare-faced treachery as this stares the world in the face.

The Washington administration may save itself the trouble of proving to the French government its *most faithful* intentions of preserving the treaty with France; for France has now no desire that it should be preserved. She had nominated an Envoy extraordinary to America, to make Mr. Washington and his government a present of the treaty, and to have no more to do with *that* or with *him*. It was, at the same time, officially declared to the American mi-

nister at Paris, that the French Republic had rather have the American government for an open enemy than a treacherous friend. This, sir, together with the internal distractions caused in America, and the loss of character in the world, is the eventful crisis, alluded to in the beginning of this letter, to which your double politics have brought the affairs of your country. It is time that the eyes of America be opened upon you.

How France would have conducted herself towards America and American commerce after all treaty stipulations had ceased, and under the sense of services rendered and injuries received, I know not. It is, however, an unpleasant reflection, that in all national quarrels, the innocent, and even the friendly, part of the community, become involved with the culpable and the unfriendly; and as the accounts that arrived from America continued to manifest an invariable attachment in the general mass of the people to their original ally, in opposition to the new-fangled Washington faction,—the resolutions that had been taken were suspended. It happened also fortunately enough, that Gouverneur Morris was not minister at this time.

There is, however, one point that yet remains in embryo, and which, among other things, serves to shew the ignorance of the Washington treaty-makers, and their inattention to pre-existing treaties

when they were employing themselves in framing or ratifying the new treaty with England.

The second article of the treaty of commerce between the United States and France says : " The most christian king and the United States engage mutually, not to grant any particular favour to other nations in respect of commerce and navigation that shall not immediately become common to the other party, who shall enjoy the same favour freely, if the concession was freely made, or on allowing the same compensation if the concession was conditional."

All the concessions therefore made to England by Jay's treaty are, through the medium of this second article in the pre-existing treaty, made to France, and become engrafted into the treaty with France, and can be exercised by her as a matter of right, the same as by England.

Jay's treaty makes a concession to England, and that unconditionally, of seizing naval stores in American ships and condemning them as contraband. It makes also a concession to England to seize provisions and *other articles* in American ships. *Other articles* are *all other articles*, and none but an ignoramus, or something worse, would have put such a phrase into a treaty. The condition annexed to this case is, that the provisions and other articles so seized are to be paid for at a price to be a-

greed upon. Mr. Washington, as President, ratified this treaty after he knew the British government had recommenced an indiscriminate seizure of provisions and of all other articles in American ships ; and it is now known that those seizures were made to fit out the expedition going to Quiberon Bay, and it was known, before hand that they would be made. The evidence goes, also, a good way to prove that Jay and Grenville understood each other upon that subject. Mr. Pinckney, when he passed through France on his way to Spain, spoke of the recommencement of the seizures as a thing that would take place. The French government had by some means received information from London to the same purpose, with the addition, that the recommencement of the seizures would cause no misunderstanding between the British and American governments. Grenville, in defending himself against the opposition in Parliament on account of the scarcity of corn, said (see his speech at the opening of the Parliament that met Oct. 29th 1795) that *the supplies for the Quiberon expedition were furnished out of the American ships ;* and all the accounts received at that time from England stated, that those seizures were made under the treaty. After the supplies for the Quiberon expedition had been procured and the expected success had failed, the seizures were counter manded ; and, had the French

seized provision vessels going to England, it is probable that the Quiberon expedition could not have been attempted.

In one point of view, the treaty with England operates as a loan to the English government. It gives permission to that government to take American property at sea to any amount and pay for it when it suits her; and besides this, the treaty is in every point of view a surrender of the rights of American commerce and navigation, and a refusal to France of the rights of neutrality. The American flag is not now a neutral flag to France: Jay's treaty of surrender gives a monopoly of it to England.

On the contrary, the treaty of commerce between America and France was formed on the most liberal principles, and calculated to give the greatest encouragement to the infant commerce of America. France was neither a carrier nor an exporter of naval stores or of provisions. Those articles belonged wholly to America, and they had all the protection in that treaty which a treaty could give. But so much has that treaty been perverted, that the liberality of it, on the part of France, has served to encourage Jay to form a counter-treaty with England; for he must have supposed the hands of France tied up by her treaty with America, when he was making such large concessions in favour of

England. The injury which Mr. Washington's administration has done to the character as well as to the commerce of America is too great to be repaired by him. Foreign nations will be shy of making treaties with a government that has given the faithless example of perverting the liberality of a former treaty to the injury of the party with whom it was made.

In what a fraudulent light must Mr. Washington's character appear in the world, when his declarations and his conduct are compared together ! Here follows the letter he wrote to the Committee of Public Safety whilst Jay was negotiating in profound secrecy this treacherous treaty.

“ George Washington, President of the United States of America, to the Representatives of the French people, members of the Committee of Public Safety of the *French Republic, the great and good friend and ally of the United States.*

“ On the intimation of the wish of the French Republic, that a new minister should be sent from the United States, I resolved to manifest my sense of the readiness with which *my* request was fulfilled [that of recalling Genet] by immediately fulfilling the request of your government [that of recalling Morris.]

“ It was some time before a character could be obtained, worthy of the high office of expressing the

attachment of the United States to the happiness of our allies, *and drawing closer the bonds of our friendship.* I have now made choice of James Monroe, one of our distinguished citizens, to reside near the French republic, in quality of minister plenipotentiary of the United States of America. He is instructed to bear to you our *sincere solicitude for your welfare, and to cultivate with zeal the cordiality so happily subsisting between us.* From a knowledge of his fidelity, probity and good conduct, I have entire confidence that he will render himself acceptable to you, and give effect to our desire of preserving and *advancing, on all occasions, the interest and connection of the two nations.* I beseech you therefore to give full credence to whatever he shall say to you on the part of the United States, and, *most of all, when he shall assure you that your prosperity is an object of our affection,* and I pray God to have the French republic in his holy keeping.

“G^o. WASHINGTON.”

Was it by entering into a treaty with England, to surrender French property on board American ships to be seized by the English, whilst English property on board American ships was declared by the French treaty not to be seizable, *that the bonds of friendship between America and France were to be drawn the closer?* Was it by declaring naval stores contraband

when coming to France, when by the French treaty they were not contraband when going to England, that the *connexion between France and America was to be advanced*? Was it by opening the American ports to the British navy in the present war, from which ports that same navy had been expelled by the aid solicited from France in the American war (and that aid gratuitously given) that the gratitude of America was to be shewn, and the *solicitude* spoken of in the letter demonstrated?

As the letter was addressed to the Committee of Public Safety, Mr Washington did not expect it would get abroad in the world, or be seen by any other eye than that of Robespierre, or be heard by any other ear than that of the Committee; that it would pass as a whisper across the Atlantic, from one dark chamber to the other, and there terminate. It was calculated to remove from the mind of the Committee all suspicion upon Jay's mission to England, and, in this point of view, it was suited to the circumstances of the moment then passing; but as the event of that mission has proved the letter to be hypocritical, it serves no other purpose of the present moment than to shew that the writer is not to be credited. Two circumstances served to make the reading of the letter necessary in the Convention. The one was, that those who succeeded on the fall of Robespierre, found it most proper to act with

publicity; the other, to extinguish the suspicions which the strange conduct of Morris had occasioned in France.

When the British treaty, and the ratification of it by Mr. Washington, was known in France, all further declarations from him of his good disposition, as an ally and a friend, passed for so many cyphers; but still it appeared necessary to him to keep up the farce of declarations. It is stipulated in the British treaty, that commissioners are to report at the end of two years on the case of *neutral ships making neutral property*. In the mean time neutral ships do *not* make neutral property, according to the British treaty, and they *do*, according to the French treaty. The preservation, therefore, of the French treaty became of great importance to England, as by that means she can employ American ships as carriers, whilst the same advantage is denied to France. Whether the French treaty could exist as a matter of right after this clandestine perversion of it, could not but give some apprehensions to the partizans of the British treaty, and it became necessary to them to make up, by fine words, what was wanting in good actions.

An opportunity offered to that purpose. The Convention, on the public reception of Mr. Monroe, ordered the American flag and the French flag to be displayed unitedly in the hall of the Conven-

tion. Mr. Monroe made a present of an American flag for the purpose. The Convention returned this compliment by sending a French flag to America, to be presented by their minister, Mr. Adet, to the American government. This resolution passed long before Jay's treaty was known or suspected; it passed in the days of confidence; but the flag was not presented by Mr. Adet till several months after the treaty had been ratified. Mr. Washington made this the occasion of saying some fine things to the French Minister, and the better to get himself into tune to do this, he began by saying the finest things of himself.

"Born, sir (said he) in a land of liberty; *having*
 "early learned its value; *having* engaged in a per-
 "lous conflict to defend it; *having*, in a word, de-
 "voted the best years of my life to secure its per-
 "manent establishment in my own country; *my*
 "anxious recollections, *my* sympathetic feelings,
 "and *my* best wishes are irresistibly excited, when-
 "ever, in any country, I see an oppressed people
 "unfurl the banners of freedom."

Mr. Washington having expended so many fine phrases upon himself, was obliged to invent a new one for the French, and he calls them "wonderful people!" The coalesced powers acknowledge as much.

It is laughable to hear Mr. Washington talk of

his *sympathetic feelings*, who has always been remarked, even among his friends, for not having any. He has, however, given no proof of any to me. As to the pompous encomiums he so liberally pays to himself, on the score of the American revolution, the reality of them may be questioned; and since he has forced them so much into notice, it is fair to examine his pretensions.

A stranger might be led to suppose from the egotism with which Mr. Washington speaks, that himself, and himself only, had generated, conducted, compleated, and established the revolution; In fine, that it was all his own doing.

In the first place, as to the political part, he had no share in it; and therefore the whole of *that* is out of the question with respect to him. There remains then only the military part, and it would have been prudent in Mr. Washington not to have awakened enquiry upon that subject. Fame then was cheap; he enjoyed it cheaply; and nobody was disposed to take away the laurels, that, whether they were *acquired* or not, had been *given*.

Mr. Washington's merit consisted in constancy. But constancy was the common virtue of the revolution. Who was there that was inconstant? I know of but one military defection, that of Arnold; and I know of no political defection, among those who made themselves eminent, when the revolu-

tion was formed by the declaration of independence. Even Silas Deane, though he attempted to defraud, did not betray.

But when we speak of military character, something more is to be understood than constancy; and something more *ought* to be understood than the Fabian system of *doing nothing*. The *nothing* part can be done by any body. Old Mrs. Thompson, the house-keeper of head-quarters (who threatened to make the sun and the *wind* shine through Rivington of New-York) could have done it as well as Mr. Washington. Deborah would have been as good as Barak.

Mr. Washington had the nominal rank of Commander in Chief; but he was not so in fact. He had in reality only a separate command. He had no controul over, or direction of, the army to the northward, under Gates, that captured Burgoyne; nor of that to the south, under Green, that recovered the southern States. The nominal rank, however, of Commander in chief, served to throw upon him the lustre of those actions, and to make him appear as the soul and centre of all the military operations in America.

He commenced his command June 1775, during the time the Massachusetts army lay before Boston, and after the affair of Bunker-hill. The commencement of his command was the com-

mencement of inactivity. Nothing was afterwards done, or attempted to be done, during the nine months he remained before Boston. If we may judge from the resistance made at Concord and afterwards at Bunker-hill, there was a spirit of enterprise at that time, which the presence of Mr. Washington chilled into cold defence. By the advantage of a good exterior, he attracts respect, which his habitual silence tends to preserve; but he has not the talent of inspiring ardour in an army. The enemy removed from Boston in March 1776, to wait for reinforcements from Europe, and to take a more advantageous position at New York.

The inactivity of the campaign of 1775 on the part of General Washington, when the enemy had a less force than in any future period of the war, and the injudicious choice of positions taken by him in the campaign of 1776, when the enemy had its greatest force, necessarily produced the losses and misfortunes that marked that gloomy campaign. The positions taken were either islands or necks of land. In the former, the enemy, by the aid of their ships could bring their whole force against a part of Gen. Washington's, as in the affair of Long-Island, and in the latter he might be shut up as in the bottom of a bag. This had nearly been the case at New York, and it was so in part; it was actually the case at Fort Washington; and would have

been the case at Fort Lee if Gen. Greene had not moved precipitately off, leaving every thing behind, and by gaining Hackinsack bridge, got out of the bag of Bergen neck. How far Mr. Washington, as a General, is blameable for these matters, I am not undertaking to determine, but they are evidently defects in military geography. The successful skirmishes at the close of that campaign (matters that would scarcely be noticed in a better state of things) make the brilliant exploits of Gen. Washington's seven campaigns.—No wonder we see so much pusillanimity in the *President* when we see so little enterprise in the *General*.

The campaign of 1777 became famous, not by any thing on the part of Gen. Washington, but by the capture of Gen. Burgoyne and the army under his command, by the Northern army at Saratoga under Gen. Gates. So totally distinct and unconnected were the two armies of Washington and Gates, and so independent was the latter of the authority of the nominal Commander in Chief, that the two Generals did not so much as correspond, and it was only by a letter of Gen. (since Governor) Clinton, that General Washington was informed of that event. The British took possession of Philadelphia this year, which they evacuated the next, just time enough to save their heavy baggage and fleet of transports from capture by the French

Admiral d'Estaing, who arrived at the mouth of the Delaware soon after.

The capture of Burgoyne gave an eclat in Europe to the American arms, and facilitated the alliance with France. The eclat, however, was not kept up by any thing on the part of Gen. Washington. The same unfortunate langour that marked his entrance into the field continued always. Discontents began to prevail strongly against him, and a party was formed in Congress, whilst sitting at York-Town, in Pennsylvania, for removing him from the command of the army. The hope, however, of better times, the news of the alliance with France, and the unwillingness of shewing discontent, dissipated the matter.

Nothing was done in the campaigns of 1778, 1779, 1780, in the part where Gen. Washington commanded, except the taking Stony Point by Gen. Wayne. The Southern States in the mean time were over-run by the enemy. They were afterwards recovered by Gen. Greene, who had in a very great measure created the army that accomplished that recovery. In all this Gen. Washington had no share. The Fabian system of war, followed by him, began now to unfold itself with all its evils, for what is Fabian war without Fabian means to support it.

The finances of Congress, depending wholly on emissions of paper money, were exhausted. Its credit was gone. The continental treasury was not able to pay the expence of a brigade of waggons to transport the necessary stores to the army, and yet the sole object, the establishment of the revolution, was a thing of remote distance. The time I am now speaking of is the latter end of the year 1780.

In this situation of things it was found not only expedient but absolutely necessary for Congress to state the whole case to its ally. I knew more of this matter (before it came into Congress or was known to General Washington) of its progress, and its issue, than I chuse to state in this letter. Col. John Laurens was sent to France as Envoy Extraordinary on this occasion, and by a private agreement between him and me I accompanied him. We sailed from Boston in the Alliance frigate, Feb. 11th, 1781. France had already done much in accepting and paying bills drawn by Congress. She was now called upon to do more. The event of Col. Laurens's mission, with the aid of the venerable minister, Franklin, was, that France gave in money, as a present, six millions of livres, and ten millions more as a loan, and agreed to send a fleet of not less than thirty sail of the line, at her own expence, as an aid to America. Col. Laurens

and myself returned from Brest the 1st of June following, taking with us two millions and an half of livres (upwards of one hundred thousand pounds sterling) of the money given, and convoying two ships with stores.

We arrived at Boston the 25th August following. De Grasse arrived with the French fleet in the Chesapeake at the same time, and was afterwards joined by that of Barras, making 31 sail of the line. The money was transported in waggons from Boston to the Bank at Philadelphia, of which Mr. Thomas Willing, who has since put himself at the head of the list of petitioners in favour of the British treaty, was then President, and it was by the aid of this money, and of this fleet, and of Rochambeau's army, that Cornwallis was taken; the laurels of which have been unjustly given to Mr. Washington. His merit in that affair was no more than that of any other American officer.

I have had, and still have, as much pride in the American revolution as any man, or as Mr. Washington has a right to have; but that pride has never made me forgetful from whence the great aid came that compleated the business. Foreign aid (that of France) was calculated upon at the commencement of the revolution. It is one of the subjects treated of in the pamphlet *Common Sense*, but

as a matter that could not be hoped for, unless Independence was declared.

It is as well the ingratitude as the pusillanimity of Mr. Washington and the Washington faction, that has brought upon America the loss of character she now suffers in the world, and the numerous evils her commerce has undergone, and to which it is yet exposed. The British ministry soon found out what sort of men they had to deal with, and they dealt with them accordingly; and if further explanation was wanting, it has been fully given since in the snivelling address of the New-York Chamber of Commerce to the President, and in that of sundry merchants of Philadelphia, which was not much better.

When the revolution of America was finally established by the termination of the war, the world gave her credit for great character; and she had nothing to do but to stand firm upon that ground. The British ministry had their hands too full of trouble to have provoked unnecessarily a rupture with her, had she shewn a proper resolution to defend her rights. But encouraged as they were by the submissive character of her executive administration, they proceeded from insult to insult till none more were left to be offered. The proposals made by Sweden and Denmark to the American

administration were disregarded. I know not if so much as an answer has been returned to them. The minister *penitentiary* (as some of the British prints called him) Mr. Jay, was sent on a pilgrimage to London, to make all up by penance and petition. In the mean time the lengthy and drowsy writer of the pieces signed *Camillus* held himself in reserve to vindicate every thing; and to sound, in America, the tocsin of terror upon the inexhaustible resources of England. Her resources, says he, are greater than those of all the other powers. This man is so intoxicated with fear and finance that he knows not the difference between *plus* and *minus*—between an hundred pounds in hand, and an hundred pounds worse than nothing.

The commerce of America, so far as it had been established by all the treaties that had been formed prior to that by Jay, was free, and the principles upon which it was established were good. That ground ought never to have been departed from. It was the justifiable ground of right, and no temporary difficulties ought to have induced an abandonment of it. The case now is otherwise. The ground, the scene, the pretensions, the every thing, are changed. The commerce of America is, by Jay's treaty, put under foreign dominion. The sea is not free for her. Her right to navigate it is re-

duced to the right of escaping; that is, until some ship of England or France, stops her vessels and carries them into port. Every article of American produce, whether from the sea or the land, fish, flesh, vegetable, or manufacture, is, by Jay's treaty, made either contraband or seizable. Nothing is exempt. In all other treaties of commerce the article which enumerates the contraband articles, such as fire arms, gun powder, &c. is followed by another article which enumerates the articles not contraband: but it is not so in Jay's treaty. There is no exempting article. Its place is supplied by the article for seizing and carrying into port; and the sweeping phrase of "*provisions and other articles,*" includes every thing. There never was such a base and servile treaty of surrender since treaties began to exist.

This is the ground upon which America now stands. All her rights of commerce and navigation have to commence anew, and that with loss of character to begin with. If there is sense enough left in the heart to call a blush into the cheek, the Washington administration must be ashamed to appear.——And as to you, sir, treacherous in private friendship (for so you have been to me, and that in the day of danger) and a hypocrite in public life, the world will be puzzled to decide, whe-

APPENDIX.

MEMORIAL

*Addressed to JAMES MONROE, Minister from the
United States of America, to the French Republic.*

BY THOMAS PAINE.

N. B. The letter of Mr. Monroe, on page 20 is an
answer to this Memorial.

Prison of the Luxembourg, Sept. 10th, 1796.

I Address this Memorial to you in consequence of
a letter I received from a friend, 18 Fructidor,
(Sept. 4th) in which he says: "Mr. Monroe has
"told me that he has no orders (meaning from the
"American government) respecting you, but I am
"sure he will leave nothing undone to liberate you;
"but, from what I learn from all the late Ameri-
"cans, you are not considered, either by the gov-
"ernment or by the individuals, as an American ci-
"tizen. You have been made a French citizen,
"which you have accepted, and you have further
"made yourself a servant of the French Republic,
"and it would be out of character for an Ameri-
"can minister to interfere in their internal con-

“cerns. You must, therefore, either be liberated
“out of compliment to America, or stand your
“trial, which you have a right to demand.”

This information was so unexpected by me, that I am at a loss how to answer it. I know not on what principle it originates; whether from an idea that I had voluntarily abandoned my citizenship of America for that of France, or from any article in the American constitution applied to me. The first is untrue with respect to any intention on my part; and the second is without foundation, as I shall shew in the course of this memorial.

The idea of conferring the honor of citizenship upon foreigners who had distinguished themselves in propagating the principles of liberty and humanity, in opposition to despotism, war and bloodshed, was first proposed by me to La Fayette, at the commencement of the French revolution, when his heart appeared to be warmed with those principles. My motive in making this proposal was to render the people of different nations more fraternal than they had been or then were. I observed that almost every branch of science had possessed itself of the exercise of this right, so far as regarded its own institution. Most of the academies and societies in Europe conferred the rank of honorary member upon foreigners eminent in knowledge, and made them members of their literary or scientific republic,

without affecting or any ways diminishing their rights of citizenship in their own country, or in other societies; and why the science of government should not have the same advantage, or why the people of one nation should not, by their representatives, exercise the right of conferring the honor of citizenship upon individuals eminent in another nation, without affecting *their* rights of citizenship in their proper country, is a problem yet to be solved.

I now proceed to remark on that part of the letter in which the writer says, that "from all he can learn from the late Americans, I am not considered, in America, either by the government or by the individuals, as an American citizen."

In the first place I wish to ask, what is here meant by the government of America? The members who compose the government are only individuals when in conversation, and who must probably hold very different opinions upon the subject. Have Congress as a body made any declaration respecting me, that they no longer consider me as a citizen? If they have not, any thing they may otherwise say is no more than the opinion of individuals, and consequently is not legal authority, nor any wise authority to deprive any man of his citizenship. Besides, whether a man has forfeited his rights of citizenship is a question not determinable

by Congress, but by a Court of Judicature and a Jury, and must depend upon evidence and the application of some law or article of the constitution to the case. No such proceeding has yet been had, and consequently I remain a citizen until it be had, be that determination what it may; for there can be no such thing as a suspension of rights in the interim.

I am aware of the article of the constitution which says, as nearly as I can recollect, that any citizen of the United States who shall accept any title, place, or office, from any foreign king, prince or state, shall forfeit and lose his right of citizenship of the United States.*

Had the article said, that *any citizen of the United States, who shall be member of any foreign convention for the purpose of forming a free constitution, shall forfeit and lose the right of citizenship of the United States*, the article had been directly applicable to me; but the idea of such an article never could have entered the mind of the American Convention, and the present article is altogether foreign to the case with respect to me; for it supposes a government in actual existence, and not a government dissolved; and it supposes a citizen of America accepting titles

* Even this article does not exist in the manner here stated.

and offices under that government, and not a citizen of America who gives his assistance in a Convention chosen by the people for the purpose of forming a government *de novo*, founded on their authority.

The late constitution and government of France was dissolved the 10th of August, 1792. The National Legislative Assembly then in being, supposed itself without authority to continue its sittings, and it proposed to the departments to elect, not another Legislative Body, but a Convention for the express purpose of forming a constitution. When the Assembly were discoursing on this matter, some of the members said, that they wished to gain all the information possible upon the subject of free constitutions, and expressed a wish to invite foreigners of any nation to the Convention, who had distinguished themselves in defending, explaining, and propagating the principles of Liberty. It was on this occasion that my name was mentioned in the Assembly. I was then in England. After this a deputation from a body of the French people, in order to remove any objection that might be made against my assisting at the proposed Convention, requested the Assembly, as their representatives, to confer on me the title of French Citizen; after which I was elected in four different departments, as is already known.

The case therefore is, that I accepted nothing from any king, prince, or state, nor from any government; for France was then without any government, except what arose from necessity and consent. Neither did I *make myself a servant of the French Republic*, as the letter already alluded to expresses; for France at that time was not a Republic, not even in name. She was altogether a people in a state of revolution.

It was not until the Convention met, that France was declared a Republic and monarchy abolished; soon after which a committee was elected, of which I was chosen a member, to form a constitution, which was presented to the Convention and read by Condorcet (who was also a member) the 15th and 16th of February following; but was not to be taken into consideration till after the expiration of two months. The disorders and the revolutionary government that took place after this put a stop to any further progress upon the case.

In thus employing myself upon the formation of a constitution, I certainly did nothing inconsistent with the American constitution. I took no oath of allegiance to France, nor any other oath whatever. I considered the citizenship they had presented me with, as an honorary mark of respect paid to me, not only as a friend of liberty, but as an American

citizen. My acceptance of that, or of the deputyship, not conferred on me by any king, prince, or state, but by a people in a state of revolution and contending for liberty, required no transfer of my allegiance or of my citizenship from America to France. In America I was a real citizen, paying taxes annually; in France I was a volunteer friend, employing myself on a temporary service. Every American in Paris knew that it was my constant intention to return to America, as soon as a constitution should be established in France, and that I anxiously waited for that event.

I ever must deny that any article of the American constitution can be applied either literally, intentionally, or constructively against me. It undoubtedly was the intention of the convention that framed the constitution, to preserve the purity of the American Republic from being debased by foreign and sordid customs; but it could never be its intentions to act against the principles of liberty, by forbidding its citizens to assist in promoting those principles in foreign countries. Neither could it be its intention to act against the principles of gratitude: France had aided America in the establishment of her revolution, when invaded and oppressed by England and her auxiliaries. France, in her turn, was invaded and oppressed by a combination of foreign despots. In this situation I conceived it an act of gratitude in me, as

a citizen of America, to render her in return the best services I could perform. I came to France (for I was in England when I was elected) not to enjoy ease, emoluments, or foppish honours, as the article supposes; but to encounter difficulties and dangers in defence of liberty; and I much question whether those who now malignantly seek to turn this to my injury (for some I believe do) would have had courage to have done the same thing. I am sure Gouv. Morris would not. He told me the second day after my arrival in Paris, that the Austrians and Prussians, who were then at Verdun, would be in Paris in a fortnight. I have no idea, said he, that seventy thousand disciplined troops can be stopt in their march by any power in France.

Besides the reasons I have already given for accepting the invitation to the Convention, I had another that has reference particularly to America, and which I mentioned to Mr. ——— the night before I left London to come to Paris; *that it was to the interest of America, that the system of European governments should be changed, and placed on the same principle with her own.*

It is certain that governments upon similar principles agree better together, than those that are founded on principles discordant with each other; and the same rule holds good with respect to the people living under them. In the latter case they offend each

other by pity or by reproach, and the discordancy carries itself into matters of commerce. I am not an ambitious man, but perhaps I have been an ambitious American. *I have wished to see America the mother church of government.*

I have now stated sufficient matter to shew, that the article in the constitution is not applicable to me, and that any such application of it to my injury, as well in circumstances as in rights, is illegal and unconstitutional. Neither do I believe that any jury in America, when they are informed of the whole of the case, would give a verdict to deprive me of my right upon that article. The citizens of America, I believe, are not very fond of permitting forced and indirect explanations to be put upon matters of this kind. I know not what were the merits of the case with respect to the person who was prosecuted for acting as prize-master to a French prize, but I know that the jury gave a verdict against the prosecution; the rights I have acquired are dear to me; they have been acquired by honorable means, and by dangerous service in the worst of times, and I cannot permit them to be wrested from me. I conceive it my duty to defend them, as the case involves a constitutional and public question, which is, how far the power of the federal government (it should have been said in this

place the executive) extends in depriving any citizen of his rights of citizenship, or of suspending them.

That the explanation of national treaties belongs to Congress, is strictly constitutional; but not the explanation of the constitution itself, upon a legal case, any more than the explanation of law in the case of individual citizens. These are altogether judiciary questions. It is, however, worth observing, that Congress in explaining the article of the treaty with respect to French prizes and French privateers, confined itself strictly to the letter of the article. Let them explain the article of the constitution with respect to me in the same manner, and that decision, did it appertain to them, could not deprive me of my rights of citizenship or suspend them, for I have accepted nothing from any king, prince, state, or government.

Painful as the want of liberty may be, it is a consolation to believe, that my imprisonment proves to the world that I had no share in the murderous system that raged during the reign of terror. That I was an enemy to it both morally and politically, is known to all that had any knowledge of me; and could I have written French as well as I can English, I would have publicly exposed its wickedness and shewn the ruin with which it was pregnant. Those who have esteemed me on former occasions, whether in America or in Europe will, I

know, feel no cause to abate that esteem, when they reflect, *that imprisonment with preservation of character is preferable to liberty with disgrace.*

The letter quoted in the first page of this memorial says, that "it would be out of character for an American minister to interfere in the internal affairs of France." This goes on the idea that I am a citizen of France, and a member of the Convention, which is not the fact. The Convention included me in the vote for dismissing foreigners from the Convention, and the Committees imprisoned me as a foreigner. It also supposes decidedly, that the article in the American constitution respecting grants made to American citizens by foreign kings, princes, or states, is applicable to me; which is the very point in question, and against the application of which I contend. I state evidence to the minister to shew, that I am not within the letter or meaning of that article; that it cannot operate against me; and I apply to him for the protection that I conceive I have a right to ask and to receive. The internal affairs of France are out of the question with respect to my application, or his interference. I ask it not as a citizen of France, for I am not one; I ask it not as a member of the Convention, for I am not one; I ask it not as a man, against whom there is any accusation, for there is none; I ask it not as an exile

from America, whose liberties I have honorably and generously contributed to defend and establish; I ask it as a citizen of America, deprived of his liberty in France under the plea of his being a foreigner; and I ask it, because I conceive I am entitled to it, upon every principle of constitutional justice and national honor.

9 : 7 : 49

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